



Crl.O.P.(MD) Nos.18052 and 18053 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.10.2022

CORAM:

**THE HONOURABLE MRS. JUSTICE T.V.THAMILSELVI**

Crl.O.P.(MD) Nos.18052 and 18053 of 2022

For Crl.O.P.(MD) No.18052 of 2022

Sakunthaladevi,

: Petitioner

Vs

1. The Superintendent of Police,  
Office of the Superintendent of Police,  
Sivagangai District, Sivagangai.

2. The Deputy Superintendent Of Police CBCID,  
Office of the Superintendent of Police CBCID,  
Madurai District, Madurai

3. The Inspector of Police,  
All Women Police Station,  
Devakottai,  
Sivagangai District.  
(Crime No.4/2021)

4. The Inspector of Police,  
Kallal Police Station,  
Sivagangai District.  
(CSR No.21/2022)

5. The Deputy Inspector General of Police,  
South Zone, Madurai  
**(\*R5 suo motu impleaded vide order dated 07.10.2022)**



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: Respondents

**PRAYER:** Criminal Original Petition filed under Section 482 Cr.P.C. praying this Court to transfer the investigation of the complaint with CSR No.21/2022 from the file of the fourth respondent to the file of the second respondent and consequently direct the second respondent to conduct proper investigation in an expeditious manner for conducting investigation along with the Crime No. 4/2021, on the file of the third respondent, which is now pending investigation with the second respondent within the stipulated period as prescribed by this Court.

For Crl.O.P.(MD) No.18053 of 2022  
Sakunthaladevi,

: Petitioner

Vs

1. The Superintendent of Police,  
Office of the Superintendent of Police,  
Sivagangai District, Sivagangai.
2. The Deputy Superintendent Of Police CBCID,  
Office of the Superintendent of Police CBCID,  
Madurai District, Madurai



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3. The Inspector of Police,  
All Women Police Station,  
Deyakottai,  
Sivagangai District.  
(Crime No.4/2021)

4. The Inspector of Police,  
Keeranur Police Station,  
Pudukottai District.  
( Crime No.33/2022)

5.The Deputy Inspector General of Police,  
South Zone, Madurai  
**(\*R5 suo motu impleaded vide order dated 07.10.2022)**

: Respondents

**PRAYER:** Criminal Original Petition filed under Section 482 Cr.P.C. praying this Court to transfer the investigation of the complaint with Crime No. 33/2022 from the file of the fourth respondent to the file of the second respondent and consequently direct the second respondent to conduct proper investigation in an expeditious manner for conducting investigation along with the Crime No.4/2021, on the file of the third respondent, which is now pending investigation with the second respondent within the stipulated period as prescribed by this Court.



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For Petitioner : Mr.R.L.Dhilipan Pandian  
(For Both Cases)

For Respondents : Mr.M.Sakthi Kumar  
Government Advocate (Crl.Side)  
(For Both Cases)

### **COMMON ORDER**

These criminal original petitions have been filed seeking to transfer and club the investigation in Crime No.4 of 2021, on the file of the Inspector of Police, All Women Police Station, Devakottai, Crime No.33 of 2022, on the file of the Inspector of Police, Keeranur Police Station along with CSR No.21 of 2022, on the file of the Inspector of Police, Kallal Police Station, to the file of the second respondent herein.

2.The learned Counsel appearing for the petitioner submitted that the petitioner is the wife of the deceased Nachiyappan. The said Nachiyappan was called for investigation with regard to Crime No.4 of 2021. At that time, some third persons along with the then Inspector of Police attached to the fourth respondent and the District Superintendent of Police, Devakottai had convinced the deceased to settle some amount for the purpose of closing the said complaint. Therefore, the deceased has settled a sum of Rs.50,00,000/- to all of them collectively. However, he was arrayed as a prime accused in



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Crime No.4 of 2021, for the offences under Sections 7 and 8 of POCSO Act, Section 506(1) IPC, Section 3(1)(xi) of SC/St Act, 1989. Then, the petitioner husband had committed suicide on 25.01.2022 and in this regard, an FIR in Crime No.33 of 2022 has been registered under Section 174 Cr.P.C., on the file of the Keeranur Police Station, Pudukottai District and the same is pending for investigation. After that, a complaint has been given before the fourth respondent, for which, CSR No.21 of 2022 has been registered against the accused persons. Now the petitioner wants to club the investigation of the Crime Nos.4 of 2021, 33 of 2022 along with CSR No.21 of 2022.

3.The learned Government Advocate (Crl.Side) appearing for the respondents submitted that with regard to CSR.No.21 of 2022, the petitioner was called for enquiry. Since she has not turned up, the enquiry was closed on 27.01.2022, by examining the available witnesses.

4.Heard both sides and perused the materials placed on record.

5.On seeing the entire facts, it reveals the fact that with regard to the



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death of the petitioner's husband, being the wife of the deceased, the petitioner has suspicion over the conduct of all the respondents including the husband of one Saritha. Further more, the co-accused sought transfer of investigation in Crl.O.P(MD)No.1419 of 2022 and the same was allowed by this Court on 27.01.2022. Accordingly, now the matter is pending before the second respondent.

6.The learned Counsel appearing for the petitioner submitted that there is a suicidal note, which reveals that the husband of Saritha harassed the deceased by demanding a sum of Rs.50,00,000/- in order to withdraw the complaint registered in Crime No.4 of 2021.

7.In view of the above, this Court is of the opinion that the matter needs a detailed enquiry about the death of the deceased. The Deputy Inspector General of Police is *suo motu* impleaded as the fifth respondent in these petitions. There shall be a direction to the newly impleaded fifth respondent/Deputy Inspector General of Police to transfer the Crime No.33 of 2022, from the file of the Keeranur Police Station to the file of the second respondent/ The Deputy Superintendent Of Police CBCID, Madurai. There



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shall be a further direction to the Inspector of Police, Kallal Police Station, Sivagangai District to transfer the CSR No.21 of 2022 to the file of the second respondent/The Deputy Superintendent Of Police CBCID, Madurai. The second respondent shall conduct a detailed enquiry by clubbing all the Crime Nos.4 of 2021 and 33 of 2022 along with CSR.No.21 of 2022, in the manner known to law and submit a report within a period of three months from the date of receipt of a copy of this order.

7.With the above directions, these criminal original petitions are disposed of.

07.10.2022

Internet: Yes  
Index: Yes/No  
Speaking/Non speaking order  
lr/VRN

To

1.The Superintendent of Police,  
Office of the Superintendent of Police,  
Sivagangai District, Sivagangai.

2. The Deputy Superintendent Of Police CBCID,  
Office of the Superintendent of Police CBCID,  
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3. The Inspector of Police,  
All Women Police Station,  
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4. The Inspector of Police,  
Kallal Police Station,  
Sivagangai District.

5. The Inspector of Police,  
Keeranur Police Station,  
Pudukottai District.

6. The Deputy Inspector General of Police,  
South Zone, Madurai

7. The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.



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**T.V.THAMILSELVI, J.**

lr/VRN

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